

Executive Summary – Enforcement Matter – Case No. 40988
Leon Junction Water Supply Corporation
RN102953841
Docket No. 2011-0082-PWS-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PWS

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Leon Junction WSC, on East Farm-to-Market Road 931 between Flat and Leon Junction, Coryell County

Type of Operation:

Public water supply

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: July 8, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$1,288

Amount Deferred for Expedited Settlement: \$257

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$1,031

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - N/A

Site/RN - N/A

Major Source: No

Statutory Maximum Adjustment: \$54

Applicable Penalty Policy: September 2002

Executive Summary – Enforcement Matter – Case No. 40988
Leon Junction Water Supply Corporation
RN102953841
Docket No. 2011-0082-PWS-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: October 7, 2010 and October 22, 2010

Date(s) of NOE(s): December 1, 2010

Violation Information

1. Failed to ensure that the well site is fine graded and free from depressions, reverse grades or areas too rough for proper ground maintenance that would prevent surface water from draining away from the well [30 TEX. ADMIN. CODE § 290.41(c)(3)(I)].
2. Failed to post a legible sign at each production, treatment, and storage facility that contains the name of the water supply and an emergency telephone number where a responsible official can be contacted [30 TEX. ADMIN. CODE § 290.46(t)].
3. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility's systems and equipment [30 TEX. ADMIN. CODE § 290.46(m)].
4. Failed to ensure that the gas chlorination equipment and chlorine cylinders are housed in a structure that protects them from adverse weather conditions and vandalism [30 TEX. ADMIN. CODE § 290.42(e)(4)(B)].
5. Failed to conduct an annual inspection of the Facility's ground storage tank [30 TEX. ADMIN. CODE § 290.46(m)(1)(A)].
6. Failed to calibrate the well meters at least once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].
7. Failed to compile an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements [30 TEX. ADMIN. CODE § 290.121(a) and (b)].
8. Failed to maintain a disinfectant residual concentration of at least 0.2 milligrams per liter ("mg/L") free chlorine in the water within the distribution system [30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4)].
9. Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation [30 TEX. ADMIN. CODE § 290.46(f)(2) and (f)(3)(D)(i)].
10. Failed to provide a sanitary control easement that covers the land within 150 feet of the well location [30 TEX. ADMIN. CODE § 290.41(c)(1)(F)].
11. Failed to adopt an adequate plumbing ordinance, regulations, or service agreement

Executive Summary – Enforcement Matter – Case No. 40988
Leon Junction Water Supply Corporation
RN102953841
Docket No. 2011-0082-PWS-E

with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted [30 TEX. ADMIN. CODE § 290.46(i)].

12. Failed to make available an up-to-date map of the distribution system so that valves and mains can be easily located during emergencies [30 TEX. ADMIN. CODE § 290.46(n)(2)].

13. Failed to compile a plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that the Respondent completed the following corrective actions at the Facility:

- a. On October 26, 2010, began maintaining a disinfectant residual concentration of at least 0.2 mg/L free chlorine in the water within the distribution system;
- b. On October 27, 2010:
 - i. Removed all overgrown vegetation from the fences surrounding Plant Nos. 1 and 2; and
 - ii. Constructed a structure that completely houses the chlorine cylinders and protects them adverse weather conditions;
- c. On November 2, 2010, graded the well site at Well No. 1 to ensure the area is free from depressions, reverse grades or areas too rough for proper ground maintenance;
- d. On December 10, 2010, calibrated the well meter on Well No. 1;
- e. On February 3, 2011, posted legible signs at Plant Nos. 1 and 2 that contain the name of the water supply and an emergency telephone number where a responsible official can be contacted;
- f. On March 28, 2011, made 12 months of microbiological analysis records available to the Commission;
- g. On April 12, 2011, conducted an annual inspection of the ground storage tank at Plant No. 2; and
- h. On April 13, 2011, made an up-to-date map of the distribution system available to the Commission.

Executive Summary – Enforcement Matter – Case No. 40988
Leon Junction Water Supply Corporation
RN102953841
Docket No. 2011-0082-PWS-E

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days, compile an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements;

b. Within 60 days:

i. Submit written certification as described in Ordering Provision d. and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.; and

ii. Compile a plant operations manual for the Facility for operator review and reference.

c. Within 90 days:

i. Submit written certification as described in Ordering Provision d. and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision b.ii.;

ii. Obtain a sanitary control easement that covers the land within 150 feet of Well No. 1 and record that easement in the county deed records obtain an exception to the easement requirement; and

iii. Adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted.

d. Within 105 days, submit written certification demonstrating compliance.

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Rebecca Clausewitz, Enforcement Division,
Enforcement Team 2, MC R-13, (210) 403-4012; Laurie Eaves, Enforcement Division,
MC 219, (512) 239-4495

Executive Summary – Enforcement Matter – Case No. 40988
Leon Junction Water Supply Corporation
RN102953841
Docket No. 2011-0082-PWS-E

TCEQ SEP Coordinator: N/A

Respondent: Carlos Webb, President, Leon Junction Water Supply Corporation, 1375
County Road 321, Gatesville, Texas 76528-4381

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

DATES	Assigned	29-Nov-2010	Screening	22-Dec-2010	EPA Due	
	PCW	25-Apr-2011				

RESPONDENT/FACILITY INFORMATION			
Respondent	Leon Junction Water Supply Corporation		
Reg. Ent. Ref. No.	RN102953841		
Facility/Site Region	9-Waco	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	40988	No. of Violations	13
Docket No.	2011-0082-PWS-E	Order Type	1660
Media Program(s)	Public Water Supply	Government/Non-Profit	Yes
Multi-Media		Enf. Coordinator	Rebecca Clausewitz
		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$50	Maximum	\$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$1,260
---	-------------------	----------------

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	10.0% Enhancement	Subtotals 2, 3, & 7	\$126
---------------------------	-------------------	--------------------------------	--------------

Notes: Enhancement for two NOV's with same/similar violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
--------------------	----	------------------	-------------------	------------

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$152
--	-------------------	--------------

Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
-------------------------	-------------------	-------------------	------------

Total EB Amounts: \$427
Approx. Cost of Compliance: \$6,775
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$1,234
-----------------------------	-----------------------	----------------

OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
---	------	-------------------	------------

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$1,234
-----------------------------	----------------

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$1,288
-----------------------------------	-------------------------------	----------------

DEFERRAL	20.0% Reduction	Adjustment	-\$257
-----------------	-----------------	-------------------	---------------

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$1,031
------------------------	----------------

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	2	10%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 10%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for two NOVs with same/similar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 10%

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §.290.41(c)(3)(I)

Violation Description

Failed to ensure that the well site is fine graded and free from depressions, reverse grades on areas too rough for proper ground maintenance that would prevent surface water from draining away from the well. Specifically, on the date of the investigation, it was noted that the well site at Well No. 1 is sloped towards the well instead of away from the well.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to have proper grading around the well site could allow stormwater or runoff to enter the well, causing customers of the Facility to be exposed to significant amounts of contaminants which would not exceed levels protective of human health.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

26 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$100

One quarterly event is recommended, calculated from the date of the investigation, October 7, 2010, to the date of compliance, November 2, 2010.

Good Faith Efforts to Comply

25.0% Reduction

\$25

Extraordinary

Before NOV NOV to EDPRP/Settlement Offer

Ordinary

N/A

Notes

x	
	(mark with x)

The Respondent achieved compliance with this violation on November 2, 2010.

Violation Subtotal \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$85

This violation Final Assessed Penalty (adjusted for limits) \$85

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
Case ID No. 40988
Req. Ent. Reference No. RN102953841
Media Public Water Supply
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$720	7-Oct-2010	2-Nov-2010	0.07	\$0	\$3	\$4
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the actual amount to re-grade the area around the well, calculated from the date of the investigation documenting the violation to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$720

TOTAL

\$4

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 290.46(t)

Violation Description

Failed to post a legible sign at each production, treatment, and storage facility that contains the name of the water supply and an emergency telephone number where a responsible official can be contacted. Specifically, on the date of the investigation, it was noted that the ownership signs at Plant Nos. 1 and 2 lacked emergency telephone numbers.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
		X	

Percent 5%

Matrix Notes

50% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 2

76 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$100

Two single events are recommended -- one event per plant.

Good Faith Efforts to Comply

10.0%

Reduction

\$10

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes

The Respondent achieved compliance with this violation on February 3, 2011.

Violation Subtotal \$90

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$100

This violation Final Assessed Penalty (adjusted for limits) \$100

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
Case ID No. 40988
Reg. Ent. Reference No. RN102953841
Media Public Water Supply
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$200	7-Oct-2010	3-Feb-2011	0.33	\$0	\$4	\$5
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to post two signs that include the emergency telephone number for a responsible official, calculated from the date of the investigation documenting the violation to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$5

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.46(m)

Violation Description

Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility's systems and equipment. Specifically, on the date of the investigation, it was noted that fences surrounding Plant Nos. 1 and 2 were overgrown with vegetation.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			X

Percent 5%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Overgrown vegetation could harbor vectors which could come into contact with the water supply, causing customers of the Facility to be exposed to insignificant amounts of contaminants which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 2

20 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$100

Two single events are recommended -- one event per plant.

Good Faith Efforts to Comply

25.0% Reduction

\$25

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary	X	
N/A		(mark with x)

Notes

The Respondent achieved compliance with this violation as of October 27, 2010.

Violation Subtotal \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$17

Violation Final Penalty Total \$85

This violation Final Assessed Penalty (adjusted for limits) \$100

Economic Benefit Worksheet

Respondent: Leon Junction Water Supply Corporation

Case ID No. 40988

Reg. Ent. Reference No. RN102953841

Media: Public Water Supply

Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description No commas or \$						

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)	\$4,513	7-Oct-2010	27-Oct-2010	0.05	\$1	\$17
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the actual amount to remove the vegetation from the fences surrounding Plant Nos. 1 & 2 and repair/replace all fencing in disrepair, calculated from the date of the investigation documenting the violation to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$4,513

TOTAL

\$17

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 4

Rule Cite(s)

30 Tex. Admin. Code § 290.42(e)(4)(B)

Violation Description

Failed to ensure that the gas chlorination equipment and chlorine cylinders are housed in a structure that protects them from adverse weather conditions and vandalism. Specifically, on the date of the investigation, it was noted that the structure housing the cylinders only partially sheltered and protected them from adverse weather conditions.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Harm Moderate	Minor
Actual			
Potential		x	

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to have the chlorine cylinders completely protected could result in damage to the cylinders causing chlorine gas leakage which could expose human health or the environment to significant amounts of contaminants, which would not exceed protective levels.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

20 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty \$100

One quarterly event is recommended, calculated from the date of the investigation, October 7, 2010, to the date of compliance, October 27, 2010.

Good Faith Efforts to Comply

25.0% Reduction

\$25

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent achieved compliance with this violation as of October 27, 2010.

Violation Subtotal \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$85

This violation Final Assessed Penalty (adjusted for limits) \$85

Economic Benefit Worksheet

Respondent: Leon Junction Water Supply Corporation
Case ID No.: 40988
Reg. Ent. Reference No.: RN102953841
Media: Public Water Supply
Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$500	7-Oct-2010	27-Oct-2010	0.05	\$0	\$2	\$2
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to extend and enlarge the shelter for the chlorine cylinders to ensure that they are better protected, calculated from the date of the investigation documenting the violation to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$2

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 290.46(m)(1)(A)

Violation Description

Failed to conduct an annual inspection of the Facility's ground storage tank. Specifically, on the date of the investigation, it was noted that the most recent inspection of the storage tank at Plant No. 2 was in 2007.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to conduct the annual inspection of the ground storage tank could lead to nondetection of a tank defect, exposing customers of the Facility to significant amounts of contaminants which would not exceed levels protective of human health.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

76 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$100

One annual event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$129

Violation Final Penalty Total \$110

This violation Final Assessed Penalty (adjusted for limits) \$110

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
Case ID No. 40988
Req. Ent. Reference No. RN102953841
Media Public Water Supply
Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
-----------	---------------	------------	-----	----------------	---------------	-----------

Item Description No commas or \$

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0:00	\$0	\$0	\$0
Personnel				0:00	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$41	7-Oct-2007	7-Oct-2010	3:00	\$6	\$123	\$129
Supplies/equipment				0:00	\$0	\$0	\$0
Financial Assurance [2]				0:00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0:00	\$0	\$0	\$0
Other (as needed)				0:00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated annual amount to conduct a storage tank inspection, calculated for the three years prior to the date of the investigation when it was documented that no inspections were conducted on the tank.

Approx. Cost of Compliance

\$41

TOTAL

\$129

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 6

Rule Cite(s)

30 Tex. Admin. Code § 290.46(s)(1)

Violation Description

Failed to calibrate the well meters at least once every three years. Specifically, on the date of the investigation, it was noted that the well meter for Well No. 1 had not been calibrated in the last three years.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

	Major	Harm Moderate	Minor
Release Actual			
Potential			X

Percent 5%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to calibrate the well meter could result in inaccurate well production data which could cause improper treatment or disinfection. This could result in customers of the Facility becoming exposed to insignificant amounts of contaminants, which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events

1

64

Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$50

One single event is recommended.

Good Faith Efforts to Comply

10.0% Reduction

\$5

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

Notes

The Respondent achieved compliance with this violation on December 10, 2010.

Violation Subtotal \$45

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$37

Violation Final Penalty Total \$50

This violation Final Assessed Penalty (adjusted for limits) \$50

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
 Case ID No. 40988
 Reg. Ent. Reference No. RN102953841
 Media Public Water Supply
 Violation No. 6

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
 Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$31	7-Oct-2007	7-Oct-2010	3.92	\$6	\$31	\$37
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to calibrate the well meter on Well No. 1, calculated for the three years prior to the the date of the investigation documenting the violation.

Approx. Cost of Compliance

\$31

TOTAL

\$37

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 7

Rule Cite(s)

30 Tex. Admin. Code § 290.121(a) and (b)

Violation Description

Failed to compile an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

	Major	Harm Moderate	Minor
Release Actual			
Potential			

Percent 0%

>> Programmatic Matrix

	Major	Moderate	Minor
Falsification	x		

Percent 10%

Matrix
Notes

100% of the rule requirement was not met.

Adjustment \$900

\$100

Violation Events

1

76

Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

Extraordinary

Before NOV

NOV to EDPRP/Settlement Offer

Ordinary

N/A

x

(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$110

This violation Final Assessed Penalty (adjusted for limits) \$110

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
Case ID No. 40988
Req. Ent. Reference No. RN102953841
Media Public Water Supply
Violation No. 7

Percent Interest	Years of Depreciation
5.0	15

Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description No commas or \$						

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	7-Oct-2010	30-Sep-2011	0.98	\$2	n/a	\$2
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to compile a chemical and microbiological monitoring plan, calculated from the date of the investigation documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

TOTAL

\$2

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 8

Rule Cite(s)

30 Tex. Admin. Code §§ 290.46(d)(2)(A) and 290.110(b)(4)

Violation Description

Failed to maintain a disinfectant residual concentration of at least 0.2 milligrams per liter ("mg/L") free chlorine in the water within the distribution system. Specifically, on October 22, 2010, when a sample was taken from the fire hydrant at the intersection of County Roads 344 and 342, the water within the distribution system was found to have a disinfectant residual concentration of 0.0 mg/L after flushing.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential	x		

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Failure to maintain a disinfectant residual could result in customers of the Facility being exposed to significant amounts of contaminants, which would exceed levels protective of human health.

Adjustment \$750

\$250

Violation Events

1

4 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$250

One single event is recommended based on the date of the investigation documenting the violation.

Good Faith Efforts to Comply

25.0% Reduction

\$62

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		(mark with x)

Notes

The Respondent achieved compliance with this violation on October 26, 2010.

Violation Subtotal \$188

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$200

Violation Final Penalty Total \$213

This violation Final Assessed Penalty (adjusted for limits) \$213

Economic Benefit Worksheet

Respondent: Leon Junction Water Supply Corporation

Case ID No. 40988

Reg. Ent. Reference No. RN102953841

Media: Public Water Supply

Violation No. 8

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount
Item Description: No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$200	22-Oct-2010	26-Oct-2010	0.00	\$0	\$200	\$200
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount for additional maintenance and oversight that could have prevented the low disinfectant residual, calculated from the date of the investigation documenting the violation to the date the Respondent documented compliance.

Approx. Cost of Compliance

\$200

TOTAL

\$200

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 9

Rule Cite(s)

30 Tex. Admin. Code § 290.46(f)(2) and (f)(3)(D)(i)

Violation Description

Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation. Specifically, on the date of the investigation, the Respondent could not provide microbiological analysis records.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$990

\$10

Violation Events

Number of Violation Events

1

76

Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$10

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction

\$0

Extraordinary

Before NOV

NOV to EDPRP/Settlement Offer

Ordinary

N/A

x

(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$10

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$1

Violation Final Penalty Total

\$11

This violation Final Assessed Penalty (adjusted for limits)

\$50

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation

Case ID No. 40988

Reg. Ent. Reference No. RN102953841

Media Public Water Supply

Violation No. 9

Percent Interest	Years of Depreciation
5.0	15

Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description: No commas or \$						

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	7-Oct-2010	28-Mar-2011	0.47	\$1	n/a	\$1
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to develop a record-keeping system for the microbiological analysis records, calculated from the date of the investigation documenting the violation to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$45

TOTAL

\$1

Screening Date: 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent: Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No: 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No: RN102953841

Media [Statute]: Public Water Supply

Enf. Coordinator: Rebecca Clausewitz

Violation Number: 10

Rule Cite(s)

30 Tex. Admin. Code § 290.41(c)(1)(F)

Violation Description

Failed to provide a sanitary control easement that covers the land within 150 feet of the well location. Specifically, on the date of the investigation, it was noted that there is no sanitary control easement for Well No. 1.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Harm Moderate	Minor
Actual			
Potential			X

Percent 5%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix
Notes

Failure to have a sanitary control easement for the well could cause customers of the Facility to be exposed to insignificant amounts of contaminants which would not exceed levels protective of human health.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 1

76 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
Semiannual	
annual	
single event	X

Violation Base Penalty \$50

One single event is recommended for the one well site.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	
N/A	X (mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$50

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2

Violation Final Penalty Total \$55

This violation Final Assessed Penalty (adjusted for limits) \$55

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
Case ID No. 40988
Reg. Ent. Reference No. RN102953841
Media Public Water Supply
Violation No. 10

Percent Interest	Years of Depreciation
5.0	15

Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description No commas or \$						

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)	\$20	7-Oct-2010	30-Nov-2011	1.15	\$0	\$2
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to record a sanitary control easement for Well No. 1, calculated from the date of the investigation documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20

TOTAL

\$2

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 11

Rule Cite(s)

30 Tex. Admin. Code § 290.46(l)

Violation Description

Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement is not met.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

76 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Extraordinary

Before NOV

NOV to EDPRP/Settlement Offer

Ordinary

N/A

x

(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$14

Violation Final Penalty Total \$110

This violation Final Assessed Penalty (adjusted for limits) \$110

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation

Case ID No. 40988

Reg. Ent. Reference No. RN102953841

Media Public Water Supply

Violation No. 11

Percent Interest	Years of Depreciation
5.0	15

Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description No commas or \$						

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)	\$180	7-Oct-2010	30-Nov-2011	1.15	\$1	\$14
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare and adopt a plumbing ordinance, regulations, or service agreement, calculated from the date of the investigation documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$180

TOTAL

\$14

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

V12 12

Rule Cite(s)

30 Tex. Admin. Code § 290.46(n)(2)

Violation Description

Failed to make available an up-to-date map of the distribution system so that valves and mains can be easily located during emergencies.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
	X		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

76 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

	Before NOV		NOV to EDPRP/Settlement Offer
	Extraordinary	Ordinary	
N/A	X		(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$6

Violation Final Penalty Total \$110

This violation Final Assessed Penalty (adjusted for limits) \$110

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
Case ID No. 40988
Reg. Ent. Reference No. RN102953841
Media Public Water Supply
Violation No. 12

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$180	7-Oct-2010	13-Apr-2011	0.52	\$0	\$6	\$6
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to prepare a map of the distribution system, calculated from the date of the investigation documenting the violation to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$180

TOTAL

\$6

Screening Date 22-Dec-2010

Docket No. 2011-0082-PWS-E

PCW

Respondent Leon Junction Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 40988

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102953841

Media [Statute] Public Water Supply

Enf. Coordinator Rebecca Clausewitz

Violation Number 13

Rule Cite(s)

30 Tex. Admin. Code § 290.42(l)

Violation Description

Failed to compile a plant operations manual for operator review and reference.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	X		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$900

\$100

Violation Events

Number of Violation Events 1

76 Number of violation days

mark only one
with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$110

This violation Final Assessed Penalty (adjusted for limits) \$110

Economic Benefit Worksheet

Respondent Leon Junction Water Supply Corporation
 Case ID No. 40988
 Reg. Ent. Reference No. RN102953841
 Media Public Water Supply
 Violation No. 13

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0:00	\$0	\$0	\$0
Buildings				0:00	\$0	\$0	\$0
Other (as needed)	\$100	7-Oct-2010	31-Oct-2011	1:07	\$0	\$7	\$7
Engineering/construction				0:00	\$0	\$0	\$0
Land				0:00	\$0	n/a	\$0
Record Keeping System				0:00	\$0	n/a	\$0
Training/Sampling				0:00	\$0	n/a	\$0
Remediation/Disposal				0:00	\$0	n/a	\$0
Permit Costs				0:00	\$0	n/a	\$0
Other (as needed)				0:00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to compile a plant operations manual, calculated from the date of the investigation documenting the violation to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0:00	\$0	\$0	\$0
Personnel				0:00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0:00	\$0	\$0	\$0
Supplies/equipment				0:00	\$0	\$0	\$0
Financial Assurance [2]				0:00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0:00	\$0	\$0	\$0
Other (as needed)				0:00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$7

Compliance History

Customer/Respondent/Owner-Operator: CN600646558 Leon Junction Water Supply Corporation Classification: Rating:

Regulated Entity: RN102953841 LEON JUNCTION WSC Classification: Site Rating:

ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0500041

Location: on E FM 931 between Flat and Leon Junction, Coryell County, Texas

TCEQ Region: REGION 09 - WACO

Date Compliance History Prepared: December 22, 2010

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: December 22, 2005 to December 22, 2010

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Rebecca Clausewitz Phone: (210) 403-4012

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator? N/A
5. When did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site:

A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
N/A

B. Any criminal convictions of the state of Texas and the federal government.
N/A

C. Chronic excessive emissions events.
N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	05/16/2007	(556444)
2	07/12/2007	(565855)
3	04/10/2008	(670320)
4	11/23/2010	(869944)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	04/19/2007	(556444)	CN600646558
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.41(c)(1)(D)		
Description:	Failure to locate the well site for a public drinking water system at least 50 feet from livestock.		

Date:	05/18/2007	(556444)	CN600646558
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.42(l)		
Description:	Failure to provide a plant operations manual.		
Self Report?	NO		Classification: Minor
Citation:	30 TAC Chapter 290, SubChapter D 290.46(f)(2)		
Description:	Failure to provide a water system records that needed to be reviewed at the time of the investigation.		

F. Environmental audits.
N/A

G. Type of environmental management systems (EMSs).
N/A

H. Voluntary on-site compliance assessment dates.
N/A

I. Participation in a voluntary pollution reduction program.
N/A

J. Early compliance.
N/A

Sites Outside of Texas
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
LEON JUNCTION WATER
SUPPLY CORPORATION
RN102953841

§ BEFORE THE
§
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER

DOCKET NO. 2011-0082-PWS-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Leon Junction Water Supply Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a public water supply on East Farm-to-Market Road 931 between Flat and Leon Junction, Coryell County, Texas (the "Facility") that has approximately 96 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 6, 2010.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of One Thousand Two Hundred Eighty-Eight Dollars (\$1,288) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Thousand Thirty-One Dollars (\$1,031) of the administrative penalty and Two Hundred Fifty-Seven Dollars (\$257) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and

satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director recognizes that the Respondent completed the following corrective actions at the Facility:
 - a. On October 26, 2010, began maintaining a disinfectant residual concentration of at least 0.2 milligrams per liter ("mg/L") free chlorine in the water within the distribution system;
 - b. On October 27, 2010:
 - i. Removed all overgrown vegetation from the fences surrounding Plant Nos. 1 and 2; and
 - ii. Constructed a structure that completely houses the chlorine cylinders and protects them adverse weather conditions;
 - c. On November 2, 2010, graded the well site at Well No. 1 to ensure the area is free from depressions, reverse grades or areas too rough for proper ground maintenance;
 - d. On December 10, 2010, calibrated the well meter on Well No. 1;
 - e. On February 3, 2011, posted legible signs at Plant Nos. 1 and 2 that contain the name of the water supply and an emergency telephone number where a responsible official can be contacted;
 - f. On March 28, 2011, made 12 months of microbiological analysis records available to the Commission;
 - g. On April 12, 2011, conducted an annual inspection of the ground storage tank at Plant No. 2; and
 - h. On April 13, 2011, made an up-to-date map of the distribution system available to the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to ensure that the well site is fine graded and free from depressions, reverse grades or areas too rough for proper ground maintenance that would prevent surface water from draining away from the well, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(I), as documented during an investigation conducted on October 7, 2010.
2. Failed to post a legible sign at each production, treatment, and storage facility that contains the name of the water supply and an emergency telephone number where a responsible official can be contacted, in violation of 30 TEX. ADMIN. CODE § 290.46(t), as documented during an investigation conducted on October 7, 2010.
3. Failed to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the Facility's systems and equipment, in violation of 30 TEX. ADMIN. CODE § 290.46(m), as documented during an investigation conducted on October 7, 2010.
4. Failed to ensure that the gas chlorination equipment and chlorine cylinders are housed in a structure that protects them from adverse weather conditions and vandalism, in violation of 30 TEX. ADMIN. CODE § 290.42(e)(4)(B), as documented during an investigation conducted on October 7, 2010.
5. Failed to conduct an annual inspection of the Facility's ground storage tank, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(A), as documented during an investigation conducted on October 7, 2010.
6. Failed to calibrate the well meters at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1), as documented during an investigation conducted on October 7, 2010.
7. Failed to compile an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in violation of 30 TEX. ADMIN. CODE § 290.121(a) and (b), as documented during an investigation conducted on October 7, 2010.
8. Failed to maintain a disinfectant residual concentration of at least 0.2 mg/L free chlorine in the water within the distribution system, in violation of 30 TEX. ADMIN. CODE §§ 290.46(d)(2)(A) and 290.110(b)(4), as documented during an investigation conducted on October 22, 2010.
9. Failed to make water works operation and maintenance records available for review by Commission personnel during the investigation, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2) and (f)(3)(D)(i), as documented during an investigation conducted on October 7, 2010.

10. Failed to provide a sanitary control easement that covers the land within 150 feet of the well location, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F), as documented during an investigation conducted on October 7, 2010.
11. Failed to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in violation of 30 TEX. ADMIN. CODE § 290.46(i), as documented during an investigation conducted on October 7, 2010.
12. Failed to make available an up-to-date map of the distribution system so that valves and mains can be easily located during emergencies, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(2), as documented during an investigation conducted on October 7, 2010.
13. Failed to compile a plant operations manual for operator review and reference, in violation of 30 TEX. ADMIN. CODE § 290.42(l), as documented during an investigation conducted on October 7, 2010.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Leon Junction Water Supply Corporation, Docket No. 2011-0082-PWS-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, compile an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the Facility will use to comply with the monitoring requirements, in accordance with 30 TEX. ADMIN. CODE § 290.121.
 - b. Within 60 days after the effective date of this Agreed Order:

- i. Submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a; and
 - ii. Compile a plant operations manual for the Facility for operator review and reference, as required by 30 TEX. ADMIN. CODE § 290.42.
- c. Within 90 days after the effective date of this Agreed Order:
- i. Submit written certification as described in Ordering Provision No. 2.d below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.b.ii;
 - ii. Obtain a sanitary control easement that covers the land within 150 feet of Well No. 1 and record that easement in the county deed records in accordance with 30 TEX. ADMIN. CODE § 290.41, or obtain an exception to the easement requirement pursuant to 30 TEX. ADMIN. CODE § 290.39(l); and
 - iii. Adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- d. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.c.ii and iii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Waco Regional Office
Texas Commission on Environmental Quality
6801 Sanger Avenue, Suite 2500
Waco, Texas 76710-7826

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John S. Miller
For the Executive Director

7/26/2011
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- The TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Carlos W. Webb
Signature

5-18-11
Date

Carlos W. Webb
Name (Printed or typed)
Authorized Representative of
Leon Junction Water Supply Corporation

President
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.